

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of
WALDEMAR RUEDIGER, et al.

Serial No.: 10/057,451

New York, New York 10165
April 5, 2005

Filed: January 25, 2002

For: PARALLEL CHEMISTRY REACTOR
WITH INTERCHANGEABLE
CARRYING INSERTS

Examiner: Duane K. Handy

Art Unit: 1743

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BMS-31 1626-131

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**COMMENTS ON STATEMENT
OF REASONS FOR ALLOWANCE**

Dear Sirs:

On page 3, the first partial paragraph of the Notice of Allowability, the Examiner discusses the "orientation means" that permits the interchangeable inserts to be received in the insert-receiving space in the base in only one orientation, the feature of the invention that guarantees proper alignment between the vessels in each of the interchangeable inserts and the dispensers in the automated liquid handler.

At the end of that paragraph, the Examiner says that the orientation means is claimed generally in claim 86. That is correct.

In the next paragraph, the Examiner discusses claim 121 which defines the orientation means as being the rounded corners of the inserts that have different radii.

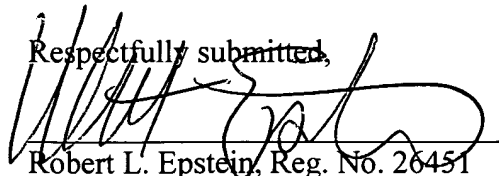
However, in the second full paragraph on page 3, the Examiner discusses claim 123. In that regard, it is stated that in claim 123, the orientation structure has been defined by the applicant as the inclined sidewall of the insert. That is not correct.

During the prosecution this application, Applicants' have asserted, and supported the assertion with Mr. Reudiger's declaration, that the inclination of the insert sidewall achieves a tight fit between insert sidewall and the walls of the base that define the insert-receiving space, in order to provide maximum heat transfer between those surfaces, and still permit easy removal of the insert from the base.

Although it is true that the sidewall inclination does prevent the insert from being received in the base upside down, and in that sense does have something to do with orientation, as a practical matter, no one would put the insert in the base upside down because the reaction vessels in the insert and/or their contents, would fall out.

Accordingly, the insert sidewall inclination recited in claim 123 is not really a different embodiment of the orientation structure as the Examiner suggests but is actually an entirely different feature of the invention, which is in itself patentable over the prior art.

Respectfully submitted,



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